

OFFICE OF THE CLERK

MARCIA M. WALDRON
CLERK

UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790
November 10, 2005

TELEPHONE
215-597-2995

Mary E. D'Andrea, Clerk
United States District Court
P.O. Box 983
Harrisburg, PA 17108-0983

Re: USA v. Travis Thurston Parker
(M.D. Pa. No. 1:01-cr-00248-WWC-1)

Dear Ms. D'Andrea:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached memorandum in support of motion for certificate of appealability which is construed as a notice of appeal which was apparently filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. The document construed as a notice of appeal was postmarked November 8, 2005.

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Pursuant to Rule 3(a)(1), Federal Rules of Appellate Procedure, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Gayle Burr
Gayle Burr
Legal Assistant

Enclosure

cc: Mr. Travis Parker #10864-067(w/out enclosure)
Schuylkill FCI
P.O. Box 759
Minersville, PA 17954

Christy H. Fawcett, Esq. (w/out enclosure)
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